

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BENTLEY A. HOLLANDER	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
TIMEX GROUP USA, INC., f/k/a	:	
TIMEX CORPORATION	:	No. 10-429
Defendants.	:	

ORDER

AND NOW, this 24th day of **March 2010**, upon consideration of Defendant's Motion to Dismiss (Document No. 10), and Plaintiff's response thereto, it is hereby **ORDERED** that the motion is **GRANTED in part** and **DENIED in part** as follows:

1. The motion is **GRANTED** as to all allegations of false marking under 35 U.S.C. § 292(a) for articles marked prior to January 29, 2005, as agreed by the parties.
2. The motion is **DENIED** in all other respects.

BY THE COURT:



Berle M. Schiller, J.